

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

BENNON R. GREEN §  
v. § CIVIL ACTION NO. 6:11cv625  
COMMISSIONER, SOCIAL SECURITY §  
ADMINISTRATION

ORDER ADOPTING REPORT AND  
RECOMMENDATION OF UNITED STATES  
MAGISTRATE JUDGE

The Report and Recommendation of the Magistrate Judge, which contains his findings, conclusions, and recommendation for the disposition of this action, has been presented for consideration. The Report and Recommendation recommends that the social security action be reversed and remanded pursuant to the fourth sentence of 42 U.S.C. § 405(g) for further consideration of the new evidence Plaintiff presented to the Appeals Council and a determination whether an additional limitation or limitations should be incorporated into Plaintiff's RFC. Further, that depending on the Appeals Council's action, a determination should be made at Step Four whether Plaintiff may still be able to perform his past relevant work as a security guard. Finally, that if that answer is no, a further determination should be made at Step Five whether there is "other work" that Plaintiff may perform that exists in substantial numbers in the national or local economy. No written objections have been filed. The findings and conclusions of the Magistrate Judge are therefore adopted as those of the Court.

In light of the foregoing, it is

**ORDERED** that the social security action be **REVERSED** and **REMANDED** pursuant to the fourth sentence of 42 U.S.C. § 405(g) for further proceedings consistent with the findings and conclusions of the Magistrate Judge, which are hereby adopted. It is further

**ORDERED** that any motion not previously ruled on is **DENIED**.

**So ORDERED and SIGNED this 1st day of February, 2013.**

A handwritten signature in black ink, appearing to read 'Leonard Davis', is written over a horizontal line.

**LEONARD DAVIS**  
**UNITED STATES DISTRICT JUDGE**